

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

PAUL W. ROLLINS,)	
)	
Plaintiff,)	
)	
-vs-)	No. 4:11-cv-00665-GAF
)	
PORTFOLIO RECOVERY ASSOCIATES,)	
LLC,)	
)	
Defendant.)	

THE DEPOSITION OF PAUL W. ROLLINS,
produced, sworn and examined on behalf of the
Defendant, pursuant to Notice, between the hours
of eight o'clock in the forenoon and six o'clock
in the afternoon of Friday, January 27, 2012, at
the law offices of J. Mark Meinhardt, 4707 College
Boulevard, Suite 100, in the City of Leawood,
County of Johnson, and State of Kansas, before me,

LISA DRURY
of
JOHN M. BOWEN & ASSOCIATES
Court Reporters

a Court Reporter within and for the State of
Missouri, in a certain cause now pending in the
United States District Court, Western District of
Missouri, Western Division, wherein PAUL W.
ROLLINS is the Plaintiff and PORTFOLIO RECOVERY
ASSOCIATES, LLC, is the Defendant.

1 APPEARANCES:

2
3 For the Plaintiff:4 LAW OFFICES OF J. MARK MEINHARDT
4707 College Boulevard, Suite 100
5 Leawood, Kansas 66211
By: Mr. J. Mark Meinhardt, Esq.6
7 For the Defendant:8 HINSHAW & CULBERTSON, LLP
701 Market Street, Suite 1300
9 St. Louis, Missouri 63101
By: Ms. Lilian H. Doan, Esq.10
11
12
13 INDEX

14 WITNESS: PAUL W. ROLLINS

15 Examination by Ms. Doan 3

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17
18 EXHIBITS19 NUMBER MARKED
20 A - Complaint 2621
22 (Exhibit 1 retained by Ms. Doan.)
23
24
25

1 PAUL W. ROLLINS,

2 called as a witness by the Defendant, being first
3 duly sworn by the Certified Shorthand Reporter,
4 was examined and testified as follows:

5 EXAMINATION

6 BY MS. DOAN:

7 Q Morning, Paul. As I introduced myself earlier,
8 my name is Lilian Doan. I represent Portfolio
9 Recovery Associates. I'll refer to them the rest
10 of the time in this deposition as PRA.

11 Have you ever taken a deposition before?

12 A A long time ago.

13 Q Okay. Well, then just so we have some ground
14 rules, please answer everything with an audible
15 answer. No shaking your head or uh-huh. It's
16 just hard for the court reporter to write that
17 down.18 Please speak loudly enough to allow the
19 court reporter to hear everything that you're
20 saying.21 If you don't understand any of the
22 questions I'm going to ask you, just go ahead and
23 tell me or ask me to rephrase it. If you do
24 answer the question, I'm going to assume that you
25 understood the question.1 Okay. And if you need to take any
2 breaks, just let me know. Okay?

3 A Okay.

4 Q All right. Can you please state your full name
5 for the record.

6 A Paul W. Rollins.

7 Q You can spell your last name?

8 A Spell my last name?

9 Q Yes.

10 A R-o-l-l-i-n-s.

11 Q Going back to you said you'd given a deposition a
12 long time ago. What was that for?

13 A That was for on my job.

14 Q Okay. Were you filing a suit in this?

15 A Ma'am?

16 Q Were you filing the suit for when you gave your
17 prior deposition for your job?

18 A Uh-huh, yes.

19 Q What was the suit about?

20 A Where I was working, yes. I mean, what do you
21 mean?22 Q Why did you file the lawsuit in the prior -- for
23 your prior deposition?

24 A For my job.

25 Q Were you terminated?

1 A Yeah.

2 Q Okay. So for wrongful termination?

3 A Yeah.

4 Q Okay. Have you ever been convicted of a crime
5 involving dishonesty?

6 A No.

7 Q What's your date of birth?

8 A March the 15th, 1952.

9 Q Okay. And you can state your Social Security
10 number, please? Your Social Security number?

11 A [REDACTED]

12 Q Okay. And your current address?

13 A [REDACTED] think it is --
14 Kansas City.

15 Q How long have you been at this address?

16 A Twenty-five years.

17 Q Long time. So no breaks in living anywhere
18 else --

19 A No.

20 Q -- in the past 25 years?

21 Okay. Did you receive mail at this
22 address?

23 A Yes, I did.

24 Q Okay. And what's your current phone number?

25 A What I got now or later?

1 Q What you have now.
 2 A What I got now, [REDACTED]-3329.
 3 Q Okay. And what area code was that?
 4 A Ma'am?
 5 Q What was the area code for that phone number?
 6 A Oh. 64130.
 7 MR. MEINHARDT: That's your zip code.
 8 THE WITNESS: Yeah, 64 --
 9 MR. MEINHARDT: Do you understand? She
 10 wants your area code. Is it 816?
 11 THE WITNESS: 816.
 12 BY MS. DOAN:
 13 Q Sorry. I'm from out of town so I don't know the
 14 area code.
 15 Do you have any other telephone numbers
 16 right now currently?
 17 A No.
 18 Q Is this a land line or a cell phone?
 19 A Cell phone now.
 20 Q Who is the provider for this number? Your
 21 provider, like AT&T or T-Mobile.
 22 A Mobile.
 23 Q T-Mobile?
 24 A Wait a minute. No. It's -- I can't pronounce
 25 the word. Not mobile. It's -- what's the name

1 of that -- I have my phone with me.
 2 Q Just try to confuse us all the time now with all
 3 the words.
 4 A It's in my coat, my phone. Not mobile. It's --
 5 I can't pronounce that word.
 6 Q Maybe after a break we can look at your phone and
 7 get back to that one.
 8 Okay. And did you have any other prior
 9 phone numbers?
 10 A Not now.
 11 Q Not now. But did you --
 12 How long have you had this cell phone
 13 number?
 14 A I had that phone number about -- I just had that
 15 one changed on that phone because it was my other
 16 phone was broken.
 17 Q So you just changed to this number because it was
 18 broken?
 19 A Yeah.
 20 Q About how long do you think that was that your
 21 cell phone broke?
 22 A About couple of months ago. I had a change over.
 23 Q So end of 2011?
 24 A Yeah, 2011.
 25 Q Do you happen to remember your cell phone number

1 from before it broke?
 2 A Do I got it?
 3 Q Do you remember it?
 4 A No, I don't. I don't know it right off.
 5 Q Was that just a cell phone? Did you have a land
 6 line before?
 7 A I had a straight line.
 8 Q Okay. Excuse me for my ignorance. What's a
 9 straight line?
 10 A A straight line with a straight line was -- I
 11 don't remember, remember that straight line.
 12 Q Okay. Now, are you currently married? Are you
 13 currently married?
 14 A Single.
 15 Q Have you ever been married?
 16 A Yes, ma'am.
 17 Q Did you get divorced or how did that marriage
 18 end?
 19 A It ended pretty good.
 20 Q Did you get a divorce?
 21 A Yeah.
 22 Q Okay. And when was that?
 23 A About seven years ago.
 24 Q Okay. Any children?
 25 A Two.

1 Q How old are your kids?
 2 A About -- one about 30, the other one about 35.
 3 Q Do you have any dependents other than a spouse,
 4 ex-spouse, or child, or any dependents at all?
 5 A What do you mean?
 6 Q I guess on your tax forms do you provide care for
 7 anyone?
 8 A No, I don't.
 9 Q Okay. What's your highest level of education?
 10 Highest level of education?
 11 A Ninth.
 12 Q Ninth grade?
 13 A Yeah.
 14 Q Did you get a GED?
 15 A No. I went for it. I didn't get it.
 16 Q Okay. Do you have any degrees?
 17 A No degree.
 18 Q Okay. Are you currently employed?
 19 A Yeah.
 20 Q Where?
 21 A If I working?
 22 Q Yes.
 23 A No, I'm not working.
 24 Q When was the last time you were employed?
 25 A About, been about -- about ten years ago.

1 Q What were you doing then?
 2 A Working for the County, Jackson County
 3 Courthouse.
 4 Q What were you doing for the courthouse?
 5 A Maintenance.
 6 Q So along those details, I guess it would be
 7 helping out wherever if they needed anything
 8 fixed or cleaning and that stuff?
 9 A Cleaning.
 10 Q Okay. Now, Jackson County, is that Kansas City?
 11 A Yes.
 12 MR. MEINHARDT: Kansas City, Missouri.
 13 BY MS. DOAN:
 14 Q Okay. And how long were you doing that?
 15 A Fifteen years.
 16 Q What were you doing before that?
 17 A Working for the other city.
 18 Q Sorry. What city is that?
 19 A Went to street repair.
 20 Q Okay. Why did you believe the job at Jackson
 21 County for maintenance?
 22 A Say that again.
 23 Q Why did you leave your job at the Jackson County
 24 Courthouse?
 25 A Oh. They turned around and let me go.

1 Q Okay. So is this -- is this the job where you
 2 filed suit --
 3 A Uh-huh, yeah.
 4 Q -- we talked about earlier?
 5 MR. MEINHARDT: Say "yes" or "no,"
 6 please, Paul.
 7 THE WITNESS: Okay.
 8 MR. MEINHARDT: Thanks.
 9 BY MS. DOAN:
 10 Q Did they give you any reason why you were
 11 terminated?
 12 A No.
 13 Q Do you remember what the outcome of your suit
 14 was?
 15 A I don't know what you mean.
 16 Q Do you remember if you had a judgment, if it was
 17 in your favor or theirs, or if you settled it?
 18 A Well, I still don't know what to say about that
 19 because they put me on disability.
 20 Q Okay. Jackson County put you on disability?
 21 A Yeah. Yeah, see, that's all I know, you know. I
 22 don't know too much.
 23 Q Okay. Now, how are you feeling today?
 24 A I feel good today.
 25 Q Okay. Is there anything that would impair your

1 ability to truthfully answer any questions? Are
 2 you on any medication?
 3 A Yeah.
 4 Q Okay. What medications are you on?
 5 A Antidepressant.
 6 Q Okay. Besides the prior wrongful termination
 7 lawsuit that you filed, have you ever filed any
 8 other lawsuit?
 9 A No.
 10 Q Have you been a party to a suit? Have you ever
 11 been sued?
 12 A No.
 13 Q Have you ever been a part of a class action suit?
 14 A No.
 15 Q Have you ever filed for bankruptcy?
 16 A No.
 17 Q Do you have any friends or family in the debt
 18 collection business?
 19 A No.
 20 Q How about credit reporting industry?
 21 A No.
 22 Q We're going to go ahead and talk about this
 23 lawsuit.
 24 Have you ever had an HSBC credit card?
 25 A Yep.

1 Q Do you remember when you got this credit card
 2 initially?
 3 A No.
 4 Q Okay. How often did you receive account
 5 statements on the credit card?
 6 A I can't answer that question because I don't know
 7 myself.
 8 Q Okay. Do you remember getting any account
 9 statements?
 10 A I don't know what that means.
 11 Q Generally when you have a credit card, at least
 12 for me, I usually get a monthly statement that is
 13 at the end of my statement and it tells me how
 14 much I've spent, and then it gives me the option
 15 to pay an amount for my credit card.
 16 Do you remember getting anything
 17 resembling that?
 18 A I think I did, yeah.
 19 Q Okay. Can you think really hard and remember how
 20 often you received those?
 21 A I can't think back, no. I don't know. I don't
 22 know.
 23 Q Now, was there a time that you could pay the
 24 charges that you made on the credit card?
 25 A I did.

1 Q So you paid the credit card?
 2 A I paid money on it.
 3 Q Okay. How you did typically pay?
 4 A Check.
 5 Q Did you usually pay the whole card all -- like
 6 the entire amount that was due, or just a small
 7 amount of it?
 8 A A small amount.
 9 Q Were you ever able to pay the full amount?
 10 A I mean, they had two way -- two way on that
 11 credit card. You pay all and you pay what they
 12 send you in the mail on how much you got to pay
 13 every month.
 14 Q So that was one way of paying it was paying the
 15 full amount. And then --
 16 A I wasn't paying the full amount on the bill
 17 all -- you know, all the way what they want me to
 18 pay. So a bill they send out, I paid a full
 19 amount on that.
 20 Q Okay. Do you remember when you stopped using
 21 this credit card?
 22 A No, I don't. I don't remember.
 23 Q Do you remember when your last payment was?
 24 A I don't think.
 25 Q Okay. Now, you said earlier you generally paid

1 by check. Did you ever pay by any other method?
 2 Did you ever pay I guess with cash or an
 3 automatic credit withdrawal?
 4 A No.
 5 Q So always check?
 6 A Yep.
 7 Q Have you ever received any collection letters?
 8 These would be letters that you would receive
 9 either from my client, PRA, or HSBC or any other
 10 debt collection saying that you owe a debt.
 11 A Yeah.
 12 Q Okay. Generally if you received collection
 13 letters, what would you do with them?
 14 A What I do with them?
 15 Q Yeah. Would you open the letters or would you
 16 read them?
 17 A Oh, yeah, yeah, I open them.
 18 Q Okay. You did keep the letters after you read
 19 them?
 20 A Some of them.
 21 Q Did you keep them in a specific place in your
 22 house?
 23 A Yep.
 24 Q Can you remember what they would say in general?
 25 A Nope.

1 Q Can't remember anything about just in general?
 2 Not anything specific, just what the letters
 3 would say in general, nothing specific about what
 4 the letters said. Can you just remember anything
 5 from them?
 6 A Nope.
 7 Q Okay. Can you remember any specific letters?
 8 A No.
 9 Q Who you received them by?
 10 A What name?
 11 Q Yes.
 12 A No.
 13 Q Do you remember getting any letters from HSBC?
 14 A Yep.
 15 Q How about PRA? That's Portfolio Recovery
 16 Associates.
 17 A I don't know.
 18 Q Did you ever throw any collection letters away?
 19 A Do what?
 20 Q Did you ever throw any collection letters away?
 21 A I don't know.
 22 Q Okay. Now, the reason why we're here is for a
 23 lawsuit that you filed. Are you suing on any
 24 letters that you received from PRA?
 25 A Am I doing what?

1 Q Are you suing based on any collection letters
 2 that were sent to you?
 3 A Yep.
 4 Q You are. Okay.
 5 Do you know what the basis of your
 6 action based on the collection letters is??
 7 MR. MEINHARDT: I'll object because it
 8 calls for a legal conclusion.
 9 Go ahead and answer if you can, Paul.
 10 You need it restated? Do you need her to ask
 11 again?
 12 THE WITNESS: Yeah.
 13 MR. MEINHARDT: Okay.
 14 BY MS. DOAN:
 15 Q Okay. I'll rephrase it too.
 16 Why are you suing on the collection
 17 letters?
 18 A Calling me every -- calling me almost every day.
 19 Q Okay. Now, in regards to the actual letters, the
 20 collection letters that you received from PRA, I
 21 guess my question was why are you suing based on
 22 the collection letters?
 23 A I can't answer that.
 24 Q Okay. Was HSBC debt the only credit card that
 25 you incurred?

1 A Say that again?
 2 Q Do you have any other credit card debts?
 3 A No, not now.
 4 Q Okay. Did you ever have any other credit card
 5 debt?
 6 A Yeah.
 7 Q How many other outstanding debts did you have in
 8 the last ten years?
 9 A I don't know.
 10 Q Well, I don't need an actual number. Would you
 11 say more than one other credit card?
 12 A More than one.
 13 Q More than two?
 14 A About three.
 15 Q About three. Would this have been in the last
 16 ten years?
 17 A I don't know about ten years. It's been -- I
 18 don't know how many years ago. It's been a
 19 little while.
 20 Q Okay. How about in 2009; do you know if you had
 21 any credit card debt?
 22 A Yep.
 23 Q Can you take a guess at how many?
 24 A I don't know.
 25 Q One?

1 A Say that again.
 2 Q Did you have one credit card debt? More than
 3 one?
 4 A In what year?
 5 Q 2009.
 6 A Had more than one.
 7 Q Two? More than two?
 8 A About three.
 9 Q Okay. How about 2010?
 10 A The same ones.
 11 Q So about three?
 12 A Yeah, yes.
 13 Q How about 2011?
 14 A Still the same ones.
 15 Q So about three?
 16 A Yeah.
 17 Q And how about now?
 18 A No.
 19 Q No credit card debt now?
 20 A One.
 21 Q Just one credit card debt?
 22 A What do you mean credit card debt?
 23 Q Just any outstanding --
 24 A Is I using any or what?
 25 Q No, not if you're using any. If you have a

1 balance, if you owe money on them.
 2 A One if them say -- I don't know what -- what one
 3 you talk -- when you talking about there.
 4 Q Okay. Well, then I guess we'll have to go back.
 5 Did you understand what I was asking
 6 before about how many outstanding debts you had
 7 in the last ten years?
 8 A Yeah. You told me -- asked me that.
 9 Q Okay. So same question just applying it to now,
 10 currently.
 11 A Am I using now or what?
 12 Q How much -- if you have any.
 13 A Is I using any credit card debts now or what?
 14 Q If you have any credit card debt. Not if you're
 15 using, actually using a credit card, but if you
 16 have any credit card debt.
 17 A No, no.
 18 Q No debt. Okay.
 19 Now going back to the collection letters
 20 that I had asked you about before, so had you
 21 received collection letters for all of these
 22 debts?
 23 A I don't know.
 24 Q Do you remember receiving collection letters in
 25 2011?

1 A I don't know.
 2 Q Okay. Were you receiving any calls from lenders,
 3 creditors, or debt collectors --
 4 A Yep.
 5 Q -- at this time?
 6 Okay. How about -- let's start with
 7 2011, just last year.
 8 A Yep.
 9 Q Do you remember who, from who?
 10 A No.
 11 Q About how many phone calls were you getting?
 12 A A hundred and something calls, more.
 13 Q And were these on all of your debts or just one
 14 specific debt?
 15 A One.
 16 Q So you said earlier that you couldn't remember
 17 who the calls were from. How did you know that
 18 these were for one specific debt?
 19 A Say that again.
 20 Q You said earlier that you didn't remember who
 21 these phone calls were from. How did you know
 22 that these were all for one specific debt?
 23 A I talked to somebody about one or two times.
 24 Q Okay. Can you explain that further?
 25 A No, I can't.

1 Q Okay. So you talked to someone about one or two
2 times. What happened in these telephone calls
3 when you talked to them?
4 A They didn't talk long.
5 Q But you knew it was for one specific debt?
6 A Yep.
7 Q How did you know that?
8 A Because they said it on the phone.
9 Q What did they say?
10 A What they -- what they was, the company they was.
11 Q Okay. Do you remember what company this was?
12 A TC -- I can't pronounce the name. DCC, DC or
13 something. I -- I can't. You know, I'm not too
14 good at pronouncing names.
15 Q Okay. Do you remember which credit card debt
16 this was for?
17 A I just can't pronounce the name.
18 Q You can't pronounce the name of the credit card?
19 A No. If I can't pronounce the name, how -- I
20 can't, you know, pronounce no name.
21 Q Okay. Now, these were all for one specific debt;
22 correct?
23 A What do you mean by that?
24 Q You said earlier you were receiving about a
25 hundred-plus phone calls?

1 A Yep.
2 Q And you don't remember who these were from, but
3 that this was all for one specific debt?
4 A Yep.
5 Q Is that correct?
6 A That's correct.
7 Q Okay. Now, for any of the other debts, do you
8 remember receiving collection letters?
9 A I don't know what you mean now.
10 Q Okay.
11 A You're kind of confusing me.
12 Q Sorry.
13 A Confusing me on telling me about what one -- I
14 can't pronounce no name, what credit card each
15 credit card was.
16 Q We'll come back to that.
17 Now, you said that you were receiving
18 over 100 phone calls. How often were you
19 receiving them?
20 A Every day.
21 Q Would this be one a day?
22 A More than one a day.
23 Q And this was all for one debt?
24 A All one debt.
25 Q And can you remember which debt this was?

1 A No, I can't remember.
2 Q But you know every single phone call was for one?
3 A Yep.
4 Q Okay. Do you know when the initial complaint in
5 this case was filed?
6 A I don't remember.
7 Q Do you know who you're suing?
8 A I know, but I can't pronounce it.
9 Q Okay. Can you just take a crack at maybe what
10 letters are in the name or can you spell out?
11 A I can't spell out.
12 Q Okay. Can you just take a crack at it?
13 A AC something. AC something. I don't know what
14 the name of it.
15 MR. MEINHARDT: Can we go off the record
16 for a second.
17 MS. DOAN: Yes.
18 (Discussion off the record.)
19 BY MS. DOAN:
20 Q Who -- not the name of the company that you're
21 suing, but who are they? What do they do?
22 A Say that word.
23 Q Who -- what does the company that you're suing
24 do?
25 A What company is they?

1 Q What did they do to make you sue them?
2 A Call.
3 Q Is that it, just calling?
4 A Harassing calls. Can't pronounce it. I can't
5 pronounce it.
6 Q Now, how were the telephone calls harassing?
7 A Every day.
8 Q So just the fact that they were every day?
9 A Every day.
10 Q Okay. Anything else?
11 A I don't -- that's the only thing I know.
12 Q Okay. Do you know why they were calling you?
13 A Must have be calling on some bill or something.
14 Q Are there any other reasons why you are suing
15 PRA?
16 A Any other reasons?
17 Q Yes.
18 A I don't know what you mean by are there any other
19 reason suing them.
20 Q Yes. That's what I'm asking if there is any
21 other reasons other than the fact that they were
22 calling you every day.
23 A No.
24 Q Have you spoken with anyone about the discussions
25 you've had with PRA or the telephone calls you've

1 had with PRA?
 2 MR. MEINHARDT: Not --
 3 THE WITNESS: No, no.
 4 MR. MEINHARDT: Not discussions with my
 5 office or me.
 6 THE WITNESS: No.
 7 MR. MEINHARDT: Okay.
 8 BY MS. DOAN:
 9 Q No. So you've only spoken with Mark about it?
 10 A Yeah.
 11 Q Okay. Did you ever call HSBC? HSBC is the
 12 credit card. Did you ever call them about your
 13 bills?
 14 A No.
 15 Q Did you ever get any letters from the credit card
 16 company about you owing them money?
 17 A Yeah.
 18 Q What did you do when you got these letters?
 19 A I don't remember.
 20 Q You don't remember what you did when you got the
 21 letters?
 22 Okay. I'm going to show you the
 23 complaint that was filed in this case.
 24 (Deposition Exhibit A was marked for
 25 identification.)

1 BY MS. DOAN:
 2 Q This is a copy of the complaint that was filed.
 3 Does this look familiar to you?
 4 MR. MEINHARDT: You need to look at it.
 5 THE WITNESS: I can't read.
 6 BY MS. DOAN:
 7 Q You can't read?
 8 A No.
 9 Q Okay. Can you read at all?
 10 A No.
 11 Q Okay. So then going back to the collection
 12 letters that I asked you about before, were you
 13 ever able to read the collection letters?
 14 A I get somebody else.
 15 Q Okay. Was there generally one person that would
 16 help you read the collection --
 17 A No.
 18 Q You would just ask whoever --
 19 A Asked.
 20 Q -- around?
 21 A Yeah.
 22 Q Okay. Now, you said before that you received
 23 over 100 phone calls. Did you receive all of
 24 these phone calls -- what numbers did you receive
 25 these phone calls at?

1 A At my home phone number.
 2 Q Any other ones?
 3 A Nope.
 4 Q So is your home number a cell phone or a land
 5 line?
 6 A No. It was a house.
 7 Q What's your home number?
 8 A I don't remember that, that home phone number I
 9 had.
 10 Q Do you still have it?
 11 A No. The phone is off.
 12 Q The phone is off?
 13 A Yeah.
 14 Q So it doesn't -- it doesn't work anymore?
 15 A No.
 16 Q Okay. You had said earlier -- I know you have
 17 your cell phone number that you gave me earlier.
 18 And you said that you had changed -- you had
 19 gotten this number because your other cell phone
 20 was broken. Did you have your other cell phone
 21 in addition to this home number?
 22 A No.
 23 Q Okay. I'm just trying to get a clear picture --
 24 A Yeah.
 25 Q -- of what cell phone numbers you have. I'm not

1 trying to hound.
 2 So then, okay, how long did you have
 3 this home number for?
 4 A That phone number I had about a year.
 5 Q You had your home number for one year?
 6 A Little bit over a year.
 7 Q And when was this?
 8 A I don't know.
 9 Q Did you ever have it at the same time that you
 10 had your cell phones?
 11 A Not that cell phone. I had one I didn't have --
 12 Q When you're saying not that cell phone, which
 13 cell phone are you --
 14 A The cell phone, the one that was broken.
 15 Q Okay. Did you have it at the same time that you
 16 have your current cell phone, the one that is now
 17 working?
 18 A What do you mean by that?
 19 Q Did you have your land line, your home phone
 20 number, at the same time that you had your
 21 current cell phone that's now working?
 22 A Yep.
 23 Q Okay. So you said you got your new cell phone
 24 number a couple months ago, in 2011, after your
 25 other cell phone was broken. So would it be

1 accurate to say that your land line was in
 2 existence at the same time, just about a couple
 3 months ago?
 4 A What are you talking about?
 5 Q How about this: Let's try to do a time line of
 6 your phone numbers. What was the first phone
 7 that you remember having? Was it a cell phone or
 8 a land line?
 9 A Land line.
 10 Q Okay. Now, is this to your home number?
 11 A Home.
 12 Q And to your current home address?
 13 A Yeah.
 14 Q Okay. When was this land line in existence? In
 15 the past year?
 16 A What do you mean existence? What do you mean by
 17 that, existence? Turn off or what?
 18 Q The phone number, the house number that you had,
 19 you said that it was only working for a little
 20 over a year.
 21 A Uh-huh.
 22 Q Was it working in 2011?
 23 A Yep.
 24 Q Was it working in 2010?
 25 A No, not that one. I had another phone number.

1 Q Okay. Was that also a house number?
 2 A Yep.
 3 Q Was that a land line?
 4 A Land line, what do you mean by land line?
 5 Q Was it one that comes through the walls?
 6 A Yeah, yeah.
 7 Q Okay. Now, your cell phones, you've said that
 8 you've had two; correct?
 9 A Yep.
 10 Q The first one that you had, did you have it in
 11 2011?
 12 A No. It was 2012 -- wait a minute. 2010.
 13 Q Okay. And that number, that cell phone broke;
 14 correct?
 15 A Yeah.
 16 Q And then you got your new cell phone which you
 17 have today, or did you have another cell phone?
 18 A No. The cell phone I had is one -- one was
 19 broken. I was using in 2012, it -- that was
 20 broken. And I changed it over to my old cell
 21 phone, the one I had 2010.
 22 Q Okay. So you had a cell phone in 2010. And then
 23 you got a new one that you were using but that
 24 one broke?
 25 A Broke.

1 Q So you changed back to the one you had in 2010?
 2 A Yes.
 3 Q Okay. So then at the time you had your house
 4 number in 2011, you were also using a cell phone;
 5 is that correct?
 6 A Yeah.
 7 Q Okay. I think we have that figured out.
 8 Now, you're claiming that PRA called you
 9 only at your home number; is that correct?
 10 A Yeah.
 11 Q Did they ever call your cell phone?
 12 A No.
 13 Q Okay. How many times did PRA call you at your
 14 home number?
 15 A Over 100 times, more than 100 times.
 16 Q Okay. Now, let's break it down. How about per
 17 day? How many times did they call you each day?
 18 A More than -- more than about 10 times a day.
 19 Q Okay. So then per week?
 20 A Each day?
 21 Q So if we called you about 10 times each day, did
 22 they call you Monday through Sunday?
 23 A Yep.
 24 Q Every day?
 25 A Yep, every day.

1 Q So then per week, it would have been over 70
 2 times a week?
 3 A I don't know what do you mean 70 times a week,
 4 what you mean. You figuring it up eight days,
 5 you know. I get no more than 100 times. I don't
 6 know.
 7 Q How it was broken down.
 8 A Yeah.
 9 Q Okay. But you got more than 10 phone calls a
 10 day?
 11 A Sometimes.
 12 Q Sometimes?
 13 A Yep.
 14 Q Okay. Now, at the least, the smallest number,
 15 how many times did they call you a day?
 16 A I don't know. It's been they call me so many
 17 times, I don't know.
 18 Q Okay. During what time period was this?
 19 A Night and day.
 20 Q Okay. Was this in 2012?
 21 A Yep.
 22 MS. DOAN: Sorry?
 23 MR. MEINHARDT: I just want to -- I've
 24 talked to him about dates and I don't think he
 25 can do years very well --

1 MS. DOAN: Okay.
 2 MR. MEINHARDT: -- obviously from the
 3 phone conversations, the time line you were
 4 trying to construct. And I don't think he
 5 understands 2012, 2011, just --
 6 MS. DOAN: Okay.
 7 MR. MEINHARDT: -- FYI.
 8 MS. DOAN: I still just need his
 9 testimony in regards to --
 10 MR. MEINHARDT: Sure, please.
 11 MS. DOAN: -- the time period.
 12 BY MS. DOAN:
 13 Q Okay. 2012 is right now, is this year.
 14 A Oh, okay. Yeah.
 15 Q Starting in January.
 16 A Yeah, you're right.
 17 Q So did you receive phone calls in 2012?
 18 A No.
 19 Q How about 2011?
 20 A Yeah.
 21 Q How about 2010? That's a year before last year.
 22 A Yeah.
 23 Q And how about 2009?
 24 A I don't know.
 25 Q That was a few years ago. Right.

1 Okay. And were all of these telephone
 2 calls still from PRA?
 3 A Yeah.
 4 Q How many times did you actually speak with them,
 5 with PRA?
 6 A About one or two or three times. I don't know.
 7 Q Okay. Was there any reason you only spoke to
 8 them one or two or three times when they were
 9 calling over 100 times?
 10 A I didn't speak to them at all.
 11 Q You never spoke with PRA?
 12 A When? What year? What year you talking about?
 13 Q Don't worry about the years for now. We're just
 14 talking about when PRA called you, did you ever
 15 speak with them?
 16 A I don't remember.
 17 Q Okay. You just testified that you spoke with
 18 them one or two or three times.
 19 A Yeah.
 20 Q Okay. Was there a reason why, if they were
 21 calling over 100 times, you only spoke to them
 22 one or two or three times?
 23 A Okay. What are you trying to say on that?
 24 Q So they called you --
 25 A Yeah.

1 Q -- all the time, every day?
 2 A Yeah.
 3 Q Okay. But you only spoke to them one or two or
 4 three times?
 5 A Yeah.
 6 Q Was there a reason you only spoke to them one or
 7 two or three times?
 8 A If they ever got me, I spoke to them. That's as
 9 far as it went. And that's all I know.
 10 Q Okay. Did you answer the phone each time they
 11 called?
 12 A Yeah. I'm the only one that lives there.
 13 Q So you would answer every time they called?
 14 A Yes.
 15 Q Okay. But you only -- how many times did you
 16 speak with them?
 17 A I think one or two or three times. I don't know.
 18 I don't remember how many times.
 19 Q Okay. But you answered --
 20 A I answered the phone every time.
 21 Q -- every time they called, so you answered the
 22 phone over 100 times?
 23 A I answer the phone over 100 times. And then they
 24 put it on the answering machine when I do answer.
 25 Q When you did answer it, it would be on a machine?

1 A When I do answer, they don't say nothing and they
 2 turn on a machine.
 3 Q Okay.
 4 A And they play -- they hold the phone.
 5 Q Okay. So it would be a machine on the other end
 6 when you would pick up the phone?
 7 A Yes, on my phone.
 8 Q Yes. So --
 9 A It tell me about who called.
 10 Q Okay. So the recording would tell who you is
 11 calling and would it --
 12 A And when I don't pick it up, they would not say
 13 nothing. It called. It calls all the time.
 14 Q Okay. So only one or two or three times when you
 15 answered the phone there was actually someone to
 16 talk to?
 17 A They don't say nothing when I answer. When I
 18 answer the phone more, they just hold the phone,
 19 won't say nothing.
 20 Q And it's the machine that's playing? Is that
 21 what you're saying?
 22 A My machine show -- shows on the machine who
 23 called.
 24 Q Okay. So you have caller ID?
 25 A Yeah.

1 Q Okay. Have you always had caller ID?
 2 A Yes, I have.
 3 Q Okay. So when they would call, would you
 4 recognize the phone number? Was it always the
 5 same phone number that called you?
 6 A They call through more numbers back to back.
 7 Q Okay. So they called you from multiple numbers?
 8 A Yeah.
 9 Q Okay. Were you ever able to tell who was calling
 10 based on the caller ID?
 11 A I called from some of the numbers back but I
 12 don't get nobody.
 13 Q So you would call the numbers back. Okay.
 14 But you always answered the phone when
 15 they called or you tried to if you were there?
 16 A If I was there, I answer the phone.
 17 Q Okay. Back to when you actually spoke to PRA,
 18 you said you talked to them one or two or three
 19 times?
 20 A Yeah.
 21 Q Did you talk to a person?
 22 A I don't know if it was a person or answering
 23 machine or what. It was -- sounded like a
 24 something about hold on, they be right with you,
 25 and stuff like that. It sounded like answering

1 machine for real was working.
 2 Q Okay. So that -- you said you answered every
 3 time they called when you could. And when you
 4 did answer, then you would hear a machine?
 5 A When I see that number come up so many times, I
 6 don't call -- I don't answer because it's that
 7 same number come up again.
 8 Q Okay.
 9 A They keep -- and they not saying nothing.
 10 Q Okay. And you knew that --
 11 A When I did answer the phone, they still won't say
 12 nothing sometimes.
 13 Q Okay. And when you saw that number, you knew
 14 that they weren't going to say anything because
 15 you knew that it was PRA; correct?
 16 A It was a number that came up. You know, it tell
 17 you, you know, out of service -- I mean out of
 18 something. My answering show where a different
 19 thing come up on the answering machine.
 20 Q Did you ever speak to a real person when you
 21 answered the phone?
 22 A A long time ago I did.
 23 Q Okay. What happened -- can you tell me about
 24 that conversation?
 25 A I don't remember it, what I was saying.

1 Q Okay. Just in general what was it about?
 2 A About some credit card.
 3 Q Okay. And how many times did you speak with a
 4 person?
 5 A About one or two or three times.
 6 Q Okay. Do you remember if they introduced
 7 themselves?
 8 A No.
 9 Q Okay. All you remember from that telephone
 10 conversation was that it was about some credit
 11 card debt --
 12 A Yeah.
 13 Q -- correct?
 14 Okay. Did you owe this debt?
 15 A I don't know did I owe it or not.
 16 Q Okay. Why would you think that you don't owe it?
 17 A I pay on that debt.
 18 Q Okay.
 19 A You know, and rates kept going up, up. Looked
 20 like I didn't never pay anything on it.
 21 Q Okay. Is that it? Are there any other reasons
 22 why you aren't sure that you owed the debt?
 23 A No.
 24 Q Did you tell PRA that you didn't owe the debt?
 25 A I don't remember.

1 Q Did you ever talk to anyone that you did not owe
 2 the debt?
 3 A I don't remember it.
 4 Q Did you ever dispute the debt?
 5 A I don't remember that.
 6 Q Okay. Did you ever ask PRA to stop calling?
 7 A I don't remember that.
 8 Q Okay. What did PRA do aside from calling you at
 9 your home number to collect the debt?
 10 A Say that again.
 11 Q What did PRA do other than calling you at your
 12 home number to collect the debt?
 13 A I don't know what they did.
 14 Q Okay. Did they call you?
 15 A You mean did they call me?
 16 Q Yes.
 17 A Did I talk to them or what? You know, you --
 18 Q Did PRA call you to collect the debt?
 19 A I don't remember.
 20 Q Do you need to take a break right now?
 21 A Huh-uh, no, huh-uh.
 22 MR. MEINHARDT: I could use one.
 23 (Discussion off the record.)
 24 BY MS. DOAN:
 25 Q My last question was did you ever ask PRA to stop

1 calling?
 2 A I don't remember.
 3 Q Okay. Did PRA do anything other than calling you
 4 at your home number to collect the debt?
 5 A I think they sent a letter out.
 6 Q Do you still have your home number?
 7 A Home?
 8 Q Yes.
 9 A No.
 10 Q Okay. Why don't you have it anymore?
 11 A Because they been calling me so much and I didn't
 12 want to -- it was getting me upset.
 13 Q Okay. How many times did they call you before
 14 you changed your number?
 15 A Many times, 100, about over 100 times, more than
 16 100 times.
 17 Q Okay. Earlier when we talked about your home
 18 number you said that you no longer had your home
 19 number because it was broken.
 20 A That was my cell phone.
 21 Q That's your cell phone. Okay.
 22 But you disconnected your home number
 23 because PRA was calling you so much?
 24 A Yep.
 25 Q Okay. Are you seeking any damages?

1 A I don't know what you mean by that.
 2 Q Okay. I guess damages would be are you seeking
 3 any money to repay you for what you experienced?
 4 A You have to talk to my lawyer about that.
 5 Q Okay. Did the phone calls have any effect on
 6 you?
 7 A Yes.
 8 Q What effects did it have on you?
 9 A Like more depressed.
 10 Q Is that you became more depressed?
 11 A Yeah?
 12 Q Can you go into that in a little more detail?
 13 What symptoms did you have of depression?
 14 A What do you mean?
 15 Q How did the phone calls make you more depressed?
 16 A Upset.
 17 Q Okay. When you got upset, how did this affect
 18 you physically?
 19 A Upset, mad.
 20 Q Did you see a doctor?
 21 A Yeah.
 22 Q When did you see the doctor?
 23 A When it -- they start. I don't know what day.
 24 Q Okay. How did the calls cause your depression or
 25 make it worse?

1 A Keep calling, keep calling and not saying
 2 nothing, and back and forth. You can't sit home
 3 and the phone ring all the time, you got to pick
 4 up the phone. And you don't know who calling or
 5 what. Had to run to the phone all the time
 6 trying to see who calling.
 7 Q You had caller ID; correct?
 8 A That's right.
 9 Q Okay. So to a certain degree you were able to
 10 tell who was calling?
 11 A Yeah. Name come up on the box. Like my family
 12 call or somebody else call, it came up on the
 13 box. All of the rest of the phone calls was the
 14 same number all the time, most of the time. I
 15 don't have phone calls at my house. I don't
 16 normally talk to nobody, you know. I'm more
 17 alone person and don't have people around me a
 18 lot because I don't do what they do.
 19 Q Okay. And when that same phone number would keep
 20 popping up, would you answer?
 21 A No.
 22 Q Okay. Going back to would you get upset when the
 23 phone rang or after -- would you get upset at the
 24 first time that the phone rang or at the end of
 25 the day after all the phone calls had come?

1 A When I was getting most all the phone calls, and
 2 what it was is that phone kept ringing and
 3 ringing and ringing, and it -- and it bill
 4 collectors, and it make me really upset about it.
 5 I just don't answer it sometimes. Sometimes I
 6 do. Sometimes I tell -- you know, to pick up the
 7 phone. They won't say nothing, just hold the
 8 phone and play on my phone on my answering
 9 machine, got like a business tone.
 10 Q Did you ever tell them to stop calling you?
 11 A I think one time I did. I really -- I think one
 12 time.
 13 Q Okay. Was this over the phone?
 14 A Yeah, it was over the phone one time.
 15 Q Okay. Do you remember if you were talking to a
 16 person?
 17 A That time it was.
 18 Q Okay. And did they identify themselves?
 19 A I don't know because I was upset about all of
 20 these phone calls and I just told them to quit
 21 calling --
 22 Q Okay.
 23 A -- and hung up the phone.
 24 Q Okay. Do you remember ever telling them to stop
 25 calling you any other time?

1 A No.
 2 Q Okay. How did you find out about Mr. Meinhardt,
 3 your attorney?
 4 A I was listening to the TV.
 5 Q Okay. And what did you see on TV?
 6 A They were talking about that if you was getting
 7 crack phone calls from different places, get on a
 8 call.
 9 Q Okay. Now, when did you first contact him?
 10 A I don't remember.
 11 MR. MEINHARDT: Objection. That's
 12 attorney-client privilege.
 13 MS. DOAN: I'm not asking about the
 14 substance of what he said to you, just the first
 15 time.
 16 MR. MEINHARDT: You can go ahead and
 17 answer, Paul.
 18 A I don't remember the first time.
 19 BY MS. DOAN:
 20 Q Okay. Now, again, not talking about what you
 21 said to Mr. Meinhardt at all, but why did you
 22 call him?
 23 A Don't -- crack phone calls.
 24 Q Do you remember when you hired him?
 25 A No, I don't.

1 Q Okay. Have you had many meetings with
 2 Mr. Meinhardt?
 3 MR. MEINHARDT: Objection.
 4 Attorney-client privilege. I'm going to ask him
 5 not to answer, advise him not to answer that
 6 question.
 7 MS. DOAN: Okay.
 8 MR. MEINHARDT: How many times he's met
 9 with me and when and where is privileged.
 10 MS. DOAN: Okay. Let me just look
 11 through this. I don't know if you want to ask
 12 any follow-up questions while I'm looking
 13 through.
 14 (Discussion off the record.)
 15 BY MS. DOAN:
 16 Q I just want to go back to the telephone numbers
 17 just so I'm sure that we have those clear. I
 18 think I got a little confused there.
 19 Now, currently you just have your cell
 20 phone number; is that correct?
 21 A That's all I got, yeah.
 22 Q Okay. And prior you had your home number as well
 23 as a cell phone number?
 24 A Yes.
 25 Q Okay. And you disconnected your home number

1 because of the phone calls; correct?
 2 A Yeah.
 3 Q Okay. And do you remember if PRA ever called you
 4 at any other number?
 5 A No, I don't know.
 6 Q You don't know or no?
 7 A No, I don't know.
 8 Q Okay. Did they ever call you on your cell phone?
 9 A I don't know.
 10 Q Okay. What's your goal in filing this lawsuit?
 11 A Do what, now?
 12 Q What's your goal in filing this lawsuit?
 13 A Get peace of mind.
 14 Q Okay. Can you expand on that?
 15 A I won't be upset and be all behind this, all
 16 these phone calls and everything.
 17 Q Okay. So will you not be upset because they're
 18 not calling you anymore?
 19 A That's right, not calling me anymore.
 20 Q Okay. Is that it? Any other reason?
 21 A That's when I get upset when they call. That's
 22 the only reason.
 23 Q Okay. Are you suing based on the collection
 24 letters that PRA sent you?
 25 A Say what?

1 Q Are you suing based on the collection letters
 2 that PRA sent you?
 3 A You have to talk to my lawyer on that.
 4 Q Okay. You said that the phone calls were making
 5 you more depressed. Were you depressed prior or
 6 were you on any -- were you depressed prior to
 7 the phone calls occurring?
 8 A Yeah. It made me more depressed.
 9 Q Okay. And you did go to a doctor after?
 10 A Yes, I did.
 11 Q Okay. And in terms of your symptoms of
 12 depression, you said that you would get upset and
 13 mad?
 14 A Yep.
 15 Q I think we talked briefly about how it would be
 16 when the phone was ringing. Can you talk a
 17 little bit more about the timing of when you
 18 would get upset or mad?
 19 A I don't know. It's when at times I get upset
 20 because when you can't pick no certain time when
 21 you get upset, a certain time, it just comes on
 22 you all at one time.
 23 Q Were you upset all the time?
 24 A Not all the time.
 25 Q Okay. Would it be generally after a day of the

1 phone ringing?

2 A It really made me upset then.

3 Q Okay. Was it just the phone ringing? Was there
4 anything else that was making you upset?

5 A No. More was that phone more than anything.

6 Q So just the sound of the ringing phone?

7 A Ringing all the time and nobody not saying
8 nothing.

9 Q Okay.

10 A You don't want to be running to no phone and you
11 pick up the phone and nobody is not saying
12 nothing and that really make a person upset.

13 Q Right. Anything else?

14 A No.

15 Q Okay.

16 MS. DOAN: I think that's all.

17 MR. MEINHARDT: Okay. Great.

18 (Proceedings concluded.)
19
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21
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24
25

1 CERTIFICATE
2 STATE OF MISSOURI)

) ss:

3 COUNTY OF JACKSON)

4 I, LISA DRURY, Certified Shorthand Reporter,
do certify that pursuant to Notice, at the offices
5 of J. Mark Meinhardt, 4707 College Boulevard,
Suite 100, in the City of Leawood, in the County
6 of Johnson, and State of Kansas,

7 PAUL W. ROLLINS

8 came before me, was duly sworn to testify the
whole truth of his knowledge of the matters in
9 controversy aforesaid, was examined and his
examination then written in stenotype by me and
10 afterwards typed, and subscribed by the witness as
hereinbefore set out, on the day in that behalf
11 aforesaid; and said deposition is herewith
returned.
12

I further certify that I'm not counsel,
13 attorney or relative of either party, or clerk or
stenographer of either party or of the attorney of
14 either party, or otherwise interested in the event
of this proceeding.
15

IN WITNESS WHEREOF, I have hereunto set my
16 seal at my office in said County and State, this
14th day of January, 2012.
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